



MINUTES

OCONEE COUNTY COUNCIL

Special Meeting

December 16, 2022

MEMBERS, OCONEE COUNTY COUNCIL

Mr. John Elliott, Chairman, District I
Mr. Paul Cain, Vice Chairman, District III
Mr. Julian Davis III, Chairman Pro Tem, District IV
Mr. Glenn Hart, District V
District II

Oconee County Council met at 10:00 AM in Council Chambers, 415 South Pine Street, Walhalla, SC with all Council Members [Mr. Elliott via phone], County Administrator Amanda F. Brock, County Attorney David Root, and Jennifer C. Adams, Clerk to Council present.

Press: Pursuant to the Freedom of Information Act, notice of the meeting, date, time, place of meeting and agenda were posted on the bulletin board at the County Administrative Offices, 415 South Pine Street, Walhalla, SC, and the County Council website [www.oconeesc.com/council]. In addition, it was made available [*upon request*] to the newspapers, radio stations, television stations and concerned citizens.

Members of the press present: Dick Mangrum / 101.7 WGOG, Riley Morningstar / The Journal

Call to Order

Mr. Cain called the meeting to order at 10:02 a.m.

Moment of Silence

Mr. Cain asked for a moment of silence prior to the Invocation by County Council Chaplain.

Invocation by County Council Chaplain

Mr. Root, County Council Chaplain, gave the invocation.

Pledge of Allegiance

Mr. Davis led the Pledge of Allegiance to the Flag of the United States of America.

Approval of Minutes

Mr. Davis made a motion, seconded by Mr. Hart, approved 4 – 0, to approve the December 06, 2022 regular meeting minutes as presented.

Mr. Davis made a motion, seconded by Mr. Hart, approved 4 – 0, to approve the December 07, 2022 special meeting minutes as presented.

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Mr. Cain made note that Mr. Elliott was traveling for a funeral but joining in via phone, then proceeded to ask Mr. Root to provide an overview of **Ordinance 2022-24** and its effects if passed.

County Attorney Comments

Mr. Root first asked for a motion to amend the agenda to removed second reading of **Ordinance 2022-32**, noting that the project attorneys are not ready to go forward with second reading at this time.

Mr. Davis made a motion, seconded by Mr. Hart, approved 4 – 0, to amend the agenda by removing **Ordinance 2022-32** from second reading.

Mr. Root then provided an overview of **Ordinance 2022-24** and its effects if passed.

County Administrator Comments

Ms. Brock thanked the public for their attendance and wished everyone a Merry Christmas and Happy New Year.

Public Comment Session

[Limited to a total of forty (40) minutes, four (4) minutes per person]

If you are not able to attend in person and you have a comment, you may submit it by emailing jennifercadams@oconeesc.com or calling 864-718-1023, so that your comment may be read it into the record.

Mr. James Thomas, Jr. spoke in support of **Ordinance 2022-24**.

Mr. Root clarified that this time is for public comment, noting comments on **Ordinance 2022-24** are welcome, but for a matter of record asked that any comments related to **Ordinance 2022-24** be presented during the public hearing.

Mr. Cain offered any citizen who signed up for public comment on **Ordinance 2022-24** the opportunity to speak during the public hearing related to this ordinance.

Mr. Matthew Durham expressed his concerns about the timing of the airport closure and the meeting schedule of the Aeronautics Commission.

Council Member Comments

Mr. Hart wished everyone a Merry Christmas and a Happy New Year.

Mr. Davis noted how pleased he was to see the attendance at this meeting and extended his thanks to the County staff for their work on public notification related to **Ordinance 2022-24**.

Mr. Davis thanked Council and especially Mr. Cain for his service.

Mr. Cain noted that this was his last meeting and thanked everyone for coming and wished everyone a Merry Christmas and Happy New Year.

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Public Hearings for the Following Ordinances *If you would like to be heard during either of the public hearings, please contact Clerk to Council Jennifer C. Adams at jennifercadams@oconeesc.com or 864-718-1023 so that your participation by may be coordinated.*

ORDINANCE 2022-24 AN ORDINANCE AMENDING CHAPTER 38 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, BY REVISING THE LOT SIZE AND DENSITY STANDARDS APPLICABLE TO THE LAKE OVERLAY DISTRICT; AND OTHER MATTERS RELATED THERETO.

Mr. Cain opened the floor for Public Comment.

1. Mr. Richard Sommer addressed Council with his comments related to **Ordinance 2022-24**.
2. Ms. Teresa Spicer spoke in support of **Ordinance 2022-24** and thanked Mr. Cain for his service.
3. Mr. John Eagar spoke in support of **Ordinance 2022-24**.
4. Ms. Martha Steele spoke in support of **Ordinance 2022-24**.
5. Mr. John Steele spoke in support of **Ordinance 2022-24**.
6. Mr. Jim Beddow spoke in support of **Ordinance 2022-24**.
7. Ms. Linda Lovely spoke in support of **Ordinance 2022-24**.
8. Ms. Lucretia Morgan addressed Council with her concerns related to **Ordinance 2022-24**.
9. Mr. Gordon Howard spoke in support of **Ordinance 2022-24**.
10. Mr. Joseph Nicholson spoke in support of **Ordinance 2022-24**.
11. Mr. Doyle Carr spoke in opposition of **Ordinance 2022-24**.
12. Mr. Kevin Minton spoke in support of **Ordinance 2022-24**.
13. Mr. Ron Cilensek spoke in support of **Ordinance 2022-24**.
14. Mr. Phil Mitchell addressed Council with his concerns related to **Ordinance 2022-24**.
15. Ms. Donna Furnari spoke in support of **Ordinance 2022-24**.
16. Mr. Gerry Yantis spoke in support of **Ordinance 2022-24**.
17. Mr. Bryant Hearne addressed Council with his concerns related to **Ordinance 2022-24**.
18. Mr. Doug Hettinger spoke in support of **Ordinance 2022-24**.
19. Mr. James Schoonover spoke in support of **Ordinance 2022-24**.
20. Mr. Fred Michels addressed Council with his concerns related to **Ordinance 2022-24**.
21. Ms. Sharon Hamilton spoke in support of **Ordinance 2022-24**.
22. Mr. Larry Day spoke in support of **Ordinance 2022-24**.
23. Mr. Jim Codner spoke in support of **Ordinance 2022-24**.
24. Mr. David McMahan addressed Council with his concerns related to **Ordinance 2022-24**.
25. Mr. Dorothy Heger addressed Council with her concerns related to **Ordinance 2022-24**.

Numerous other individuals signed up to speak during the public hearing, but they later withdrew or yielded their time.

Mr. Cain closed the Public Hearing regarding **Ordinance 2022-24**.

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ORDINANCE 2022-28 AN ORDINANCE TO APPROPRIATE AND AUTHORIZE THE EXPENDITURE OF UP TO \$2,000,000 OF LOCAL CORONAVIRUS FISCAL RECOVERY FUNDING UNDER THE AMERICAN RESCUE PLAN ACT OF 2021 (“ARPA”) FOR PURPOSES OF PROVIDING ADDITIONAL FUNDING FOR THE SEWER SOUTH PROJECT; AND OTHER MATTERS RELATED THERETO.

Mr. Cain opened the floor for Public Comment.

Noting that no citizens signed up to address Council; Mr. Cain opened the floor for any citizen wishing to address Council regarding this ordinance. No citizen addressed Council and no citizen submitted or presented any written comments for the record.

Mr. Cain closed the Public Hearing regarding **Ordinance 2022-28**.

ORDINANCE 2022-30 AN ORDINANCE TO APPROPRIATE AND AUTHORIZE THE EXPENDITURE OF SIX HUNDRED FORTY THOUSAND, ONE HUNDRED SIXTY-SIX AND 00/100 (\$640,166.00) DOLLARS OF LOCAL CORONAVIRUS FISCAL RECOVERY FUNDING RECEIVED UNDER THE AMERICAN RESCUE PLAN ACT OF 2021 (“ARPA”) FOR CONSTRUCTION OF THE BOUNTYLAND FIRE SUBSTATION; AND OTHER MATTERS RELATED THERETO.

Mr. Cain opened the floor for Public Comment.

Noting that no citizens signed up to address Council; Mr. Cain opened the floor for any citizen wishing to address Council regarding this ordinance. No citizen addressed Council and no citizen submitted or presented any written comments for the record.

Mr. Cain closed the Public Hearing regarding **Ordinance 2022-30**.

ORDINANCE 2022-33 AN ORDINANCE AUTHORIZING, PURSUANT TO TITLE 12, CHAPTER 44 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED, THE EXECUTION AND DELIVERY OF A FEE-IN-LIEU OF AD VALOREM TAXES AND SPECIAL SOURCE REVENUE CREDIT AGREEMENT BY AND BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND CAROLINA POLY, INC., ACTING FOR ITSELF, ONE OR MORE CURRENT OR FUTURE AFFILIATES AND OTHER PROJECT COMPANIES (COLLECTIVELY, THE “COMPANY”); PROVIDING FOR A FEE-IN-LIEU OF AD VALOREM TAXES INCENTIVE; PROVIDING FOR A SPECIAL SOURCE REVENUE CREDIT; PROVIDING FOR THE LOCATION OF THE COMPANY’S PROPERTY IN A JOINT COUNTY INDUSTRIAL AND BUSINESS PARK BETWEEN OCONEE COUNTY AND PICKENS COUNTY; AND OTHER RELATED MATTERS.

Mr. Cain opened the floor for Public Comment.

Noting that no citizens signed up to address Council; Mr. Cain opened the floor for any citizen wishing to address Council regarding this ordinance. No citizen addressed Council and no citizen submitted or presented any written comments for the record.

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Mr. Cain closed the Public Hearing regarding **Ordinance 2022-33**.

Third Reading of the Following Ordinances

ORDINANCE 2022-24 *[see caption above]*

Mr. Elliott made a motion, seconded by Mr. Davis, to approve **Ordinance 2022-24** on third and final reading.

Mr. Elliott thanked the public for their attendance, whether in support or opposition to this ordinance, and agreed with Mr. Codner's comments.

Mr. Davis commented that he has seen our area grow over the years and that while he is in support of this ordinance in the Lake Overlay area, he would not be in favor of this type of ordinance in District IV.

Mr. Hart commended that this ordinance is redundant but plans to vote in favor of it passing.

Mr. Cain offered some clarification comments related to **Ordinance 2022-24**.

Motion approved 4 – 0.

Mr. Cain approved a request from Mr. Davis for a short break.

Council recessed for a short break at 11:16 a.m.

Mr. Hart made a motion, approved unanimously, to reconvene the meeting at 11:21 a.m.

ORDINANCE 2022-28 *[see caption above]*

Mr. Davis made a motion, seconded by Mr. Hart, approved 4 – 0, to approve **Ordinance 2022-28** on third and final reading.

ORDINANCE 2022-30 *[see caption above]*

Mr. Elliott made a motion, seconded by Mr. Davis, to approve **Ordinance 2022-30** on third and final reading.

Mr. Davis noted that he is pleased to see the Bountyland Fire Substation come through.

Mr. Cain offered his comments related to the Bountyland Fire Substation and made note of the insurance savings this will allow citizens in this area to receive.

Motion approved 4 – 0.

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ORDINANCE 2022-33 [see caption above]

Mr. Davis made a motion, seconded by Mr. Hart, to approve **Ordinance 2022-33** on third and final reading.

Mr. Davis thanked Carolina Poly for their investment in Oconee County.

Mr. Cain echoed Mr. Davis' comments.

Motion approved 4 – 0.

Second Reading of the Following Ordinances

ORDINANCE 2022-31 AN ORDINANCE TO ACKNOWLEDGE AND AUTHORIZE THE EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT BETWEEN OCONEE COUNTY AND THE CITY OF WALHALLA FOR THE PROVISION OF A COUNTY MAGISTRATE TO ACT AS MUNICIPAL JUDGE FOR THE CITY OF WALHALLA; AND OTHER MATTERS RELATED THERETO.

Mr. Davis made a motion, seconded by Mr. Hart, approved 4 – 0, to approve **Ordinance 2022-31** on second reading.

~~**ORDINANCE 2022-32** AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A PUBLIC INFRASTRUCTURE REIMBURSEMENT AGREEMENT BETWEEN OCONEE COUNTY, SOUTH CAROLINA (“COUNTY”) AND [PROJECT GREENPAW], WITH RESPECT TO CERTAIN PROPERTY IN THE COUNTY, WHEREBY SUCH PROPERTY WILL BE SUBJECT TO CERTAIN PAYMENTS IN LIEU OF TAXES, INCLUDING THE PROVISION OF CERTAIN SPECIAL SOURCE REVENUE CREDITS TO REIMBURSE [PROJECT GREENPAW] FOR CERTAIN INFRASTRUCTURE COSTS INCURRED; AUTHORIZING THE EXECUTION AND DELIVERY THEREOF; AUTHORIZING THE PLACEMENT OF CERTAIN PROPERTY WITHIN THE BOUNDARIES OF A MULTICOUNTY INDUSTRIAL OR BUSINESS PARK OR THE CREATION OF A NEW MULTICOUNTY INDUSTRIAL OR BUSINESS PARK; AND OTHER MATTERS RELATING THERETO.~~

This ordinance was removed from the agenda on a motion made by Mr. Davis, seconded by Mr. Hart, approved 4 – 0.

First Reading of the Following Ordinances

None scheduled for this meeting.

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Discussion Regarding Action Items

Title: 2023 Ford F-250, F-450, and F-550

Department: Facilities, Roads, Emergency Services

Amount: \$203,388.00

Funds were appropriated for this procurement by Council in the Fiscal Year 2022-2023 budget process.

Budget: \$203,388.00

Project Cost: \$203,388.00

Balance: \$0.00

On January 18, 2022, Council approved the purchase of a 2022 F-250 for Facilities from Vic Bailey, and a 2022 F-450 for Roads, and a 2022 F-550 for Emergency Services from Herlong Ford. On October 17, 2022, Vic Bailey Ford notified staff that the F-250 would not be manufactured and on November 10, 2022, Herlong Ford notified staff that the 2022 F-450 and 2022 F-550 would not be manufactured. Staff was notified that Ford opened a short window to reorder these vehicles, with an increased price, until December 23, 2022.

Vic Bailey Ford of Spartanburg, SC is a SC State Contract holder for Ford trucks, contract number 4400029865. Lee Transport Equipment, Inc. of Columbia, SC is the State Contract holder for truck bodies, contract number 440027118. Vic Bailey Ford will coordinate the installation of the utility bodies, so the County will issue on Purchase order to Vic Bailey Ford.

Funding for the F-250 & F-450 will come from Capital Equipment / Vehicle Fund (325).

Funding for the F-550 will come from Emergency Services Capital Vehicle Fund.

It is the staff's recommendation that Council approve the purchase a F-250 for Facilities, a F-450 for Roads, and a F-550 for Emergency Services from Vic Bailey Ford of Spartanburg, SC in the amount of \$203,388.00.

Mr. Davis made a motion, seconded by Mr. Hart to approve the purchase a F-250 for Facilities, a F-450 for Roads, and a F-550 for Emergency Services from Vic Bailey Ford of Spartanburg, SC in the amount of \$203,388.00.

Mr. Davis thanked the purchasing department for their work on this request.

Ms. Brock noted to Council that these trucks were previously approved in January of 2022 but they were not going to be manufactured as of the previous contract for purchase, so they are being brought back before Council with some minor changes to the model and make.

Motion approved 4 – 0.

Executive Session

Mr. Elliott, via phone, informed Council that he would leave the meeting at this time since he is traveling.

Mr. Davis made a motion, seconded by Mr. Hart, to enter into Executive Session.

Mr. Davis made a motion, seconded by Mr. Hart, to invite Councilman Elect, Mr. Don Mize, to attend Executive Session with Council.

Both above stated motions approved 3 – 0 to enter into Executive Sessions for the following purposes, as allowed for § 30-4-70(a) of the South Carolina Code of Laws:

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1. Discussion regarding an Economic Development matter, Project Terminus.

Council entered into Executive Session at 11:30 a.m.

Council returned from Executive Session at 12:33 p.m. on a motion made by Mr. Davis, seconded by Mr. Hart, approved 3 – 0.

No action was taken in Executive Session

Mr. Davis made a motion, seconded by Mr. Hart, approved 3 – 0, to instruct staff to proceed with negotiations as discussed in relation to Project Terminus.

Adjourn:

Mr. Hart made a motion, approved unanimously, to adjourn at 12:33 p.m.

Respectfully Submitted:

Jennifer C. Adams
Clerk to Council

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